



## Ohio Revised Code

### Section 3321.16 Investigation of nonattendance; complaint.

Effective: April 6, 2017

Legislation: House Bill 410 - 131st General Assembly

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(A) An attendance officer or assistant provided for by section 3321.14 or 3321.15 of the Revised Code may investigate any case of nonattendance at school or part-time school of a child under eighteen years of age or supposed to be under eighteen years of age resident in the district for which such attendance officer or assistant is employed, or of any such child found in the district or enrolled in any school within the district and of any child above eighteen years of age if enrolled in any school within the district, and may take such action as the superintendent of schools directs or as such attendance officer or assistant deems proper in the absence of specific direction.

(B)(1) Subject to divisions (B)(2) and (3) of this section, the attendance officer shall file a complaint in the juvenile court against a student on the sixty-first day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

(a) The student was absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year.

(b) The school district or school has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication described under division (C)(2)(b) of section 3321.191 of the Revised Code.

(c) The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

(2) If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty or more consecutive hours or forty-two or more hours in one school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the



student has made substantial progress on the absence intervention plan.

(3) In the event that the sixty-first day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, in the school district's discretion, the absence intervention team or the attendance officer may extend the implementation of the plan and delay the filing of the complaint for an additional thirty days from the first day of instruction of the next school year.